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cyre@nixonpeabody.com

December 17, 2021

**By ECF and E-Mail**  
**(Torres\_NYSDChambers@nysd.uscourts.gov)**

Hon. Analisa Torres  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 15D  
New York, NY 10007

**Re: *Sacerdote v. New York University School of Medicine, et al., No. 1:17-cv-8834 (S.D.N.Y.)***

Dear Judge Torres:

We represent Defendant Cammack LaRhette Advisors, LLC (“Cammack”) in the above-referenced action, and Schlichter Bogard & Denton LLP represents Plaintiffs. The parties write jointly to request that the Court enter a stay in this action co-extensive with the stay entered by the Court on November 23, 2021 in *Sacerdote v. New York University*, No. 1:16-cv-6284 (S.D.N.Y.) (*Sacerdote I*) – i.e., until the Supreme Court issues an opinion in *Hughes v. Northwestern University*, No. 19-1401 (2021), in which Schlichter Bogard & Denton is counsel for the petitioners, or, if the Supreme Court grants the pending petition for writ of certiorari in *New York University v. Sacerdote*, until the Supreme Court issues an opinion in that case, whichever is later.

On November 25, 2019, the parties in this action jointly requested the Court to enter a stay pending resolution of *Sacerdote I* in the Second Circuit because the parties agreed that granting one likely would conserve party and judicial resources. (ECF No. 191). On November 26, 2019, the Court granted the request and entered a stay pending resolution of the *Sacerdote I* appeal. (ECF No. 192). The Second Circuit decided the *Sacerdote I* appeal on August 16, 2021 (ECF No. 204) and issued its mandate on September 7, 2021. (No. 1:16-cv-6284, ECF No. 402). On October 12, 2021, the Court lifted the stay in this action. (ECF No. 211). On November 12, 2021, New York University (“NYU”) filed its petition for a writ of certiorari in *Sacerdote I*, following which this Court stayed further proceedings in *Sacerdote I* pending the later of a decision by the Supreme Court in *Hughes v. Northwestern University* or, in the event NYU’s petition for a writ is granted, in *New York University v. Sacerdote*. (ECF No. 405).

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The parties agree that proceeding in this action before the Supreme Court resolves important issues raised in *Hughes v. Northwestern University* and *New York University v. Sacerdote* (if the pending petition for writ is granted) risks an unnecessary waste of both the Court's and the litigants' resources. Accordingly, the parties respectfully request that the Court issue a stay of proceedings in this action until the Supreme Court issues an opinion in *Hughes v. Northwestern University* or, if the Supreme Court grants the pending petition in *New York University v. Sacerdote*, until the Supreme Court issues an opinion in that case, whichever is later. If the Court is not inclined to do so without further briefing, the parties respectfully request that the Court set a briefing schedule for them to provide additional points and authorities in support of their position. We thank the Court for its consideration.

Sincerely,

/s/ Charles M. Dyke

Charles M. Dyke

cc: All Counsel of Record (via ECF)

GRANTED. This case shall be STAYED until the Supreme Court issues an opinion in *Hughes v. Northwestern University*, No. 19-1491 (2021) or, if the Supreme Court grants the pending writ of certiorari in *New York University v. Sacerdote*, No. 21-724, until the Supreme Court issues an opinion in that case, whichever is later. The parties shall file a joint status letter seven days after a Supreme Court opinion issues in either case updating the Court on the ramifications for this case.

SO ORDERED.

Dated: December 20, 2021  
New York, New York



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ANALISA TORRES  
United States District Judge